

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FIFTH THIRD BANK, an Ohio Corporation)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.:
)	2:09-CV-1159-S
AIG BAKER PELHAM, L.L.C., a Delaware)	
Limited Liability Company, AIG/BAKER)	
PARTNERSHIP, a Delaware General)	
Partnership, AIG/BAKER, L.L.C., a)	
Delaware Limited Liability Company,)	
ALEX BAKER LIMITED PARTNERSHIP, a)	
Georgia Limited Partnership, A.B.)	
DEVELOPMENT, INC., an Alabama)	
Corporation,)	
)	
Defendants.)	

**JOINT MOTION FOR ADDITIONAL
EXTENSION OF TIME TO FILE ANSWER**

COME NOW the parties, and jointly move the Court for an Order extending the time for filing an answer to Plaintiff's Complaint, as amended. In support of this Motion, the parties state as follows:

1. On or around November 10, 2009, the Court ordered that Defendants file an answer to the Complaint within ten (10) days from the date of the Order. On December 3, 2009, the Court granted the parties' joint motion to extend the time to file an answer to December 31, 2009. On December 31, 2009, the Court granted the parties' joint motion for additional time to file an answer to February 1, 2010.

On February 2, 2010, the Court granted the parties' joint motion for additional time to file an answer to March 1, 2010. On March 2, 2010, the Court granted the parties' joint motion for additional time to file an answer to March 31, 2010.

2. Since the last extension granted by the Court, the parties have made significant progress toward consummating their tentative settlement. The parties have exchanged draft settlement and related documents and have revised those documents and taken other steps toward consummating a settlement. The parties now believe that their tentative settlement may be consummated by April 15, 2010, although in an abundance of caution, the parties are requesting a further extension of time through April 30, 2010, for Defendants to file an answer to the Amended Complaint.

3. As the parties represented in the Report to the Court of the Parties' Rule 26(f) Planning Meeting and as the parties stated in the last joint motion submitted to the Court, the parties are aware that the Court has an interest in moving cases on its docket, and the parties are proceeding as rapidly as possible in trying to consummate a settlement of their disputes (a settlement that, if and when consummated, would result in dismissal of this action). Notwithstanding this request for an additional extension, the parties do not believe that the dates in the Scheduling Order entered by the Court on February 25, 2010 need to be adjusted.

3. To facilitate these ongoing settlement efforts, counsel for Plaintiff has agreed to allow Defendants until Friday, April 30, 2010 to file an answer to the Complaint.

WHEREFORE, the parties request that the Court enter an Order extending the deadline for Defendants to file an answer to April 30, 2010.

Respectfully submitted this 30th day of March, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that I have on this the 30th day of March, 2010, served a copy of the above and foregoing pleading upon all parties and counsel of record to the said cause by using the CM/ECF system which will send electronic notification of same and/or by placing a copy of the same in the U.S. Mail, postage prepaid and properly addressed as follows:

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